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CH. 2 WEIGHTS & MEASURES**

**CHAPTER 2
WEIGHTS & MEASURES**

NOTE: This entire Chapter was enacted by P.L. 15-91, which repealed all prior law regulating this topic. All SOURCES refer to P.L. 15-91. These sections were formerly located in Govt. Code §47200 through §47244.

Article 1. General Law.

Article 2. Weighmaster.

Article 3. Petroleum Sale, Accounting and Inspection.

**ARTICLE 1
GENERAL LAW**

- § 2100. Definitions.
- § 2101. Systems of Weights and Measures.
- § 2102. Physical Standards.
- § 2103. Technical Requirements for Weighing and Measuring Devices.
- § 2104. Weights and Measures Division: Personnel.
- § 2105. Powers and Duties of the Director.
- § 2106. Special Police Powers.
- § 2107. Powers and Duties of Officials.
- § 2108. Misrepresentation of Quantity.
- § 2109. Misrepresentation of Pricing.
- § 2110. Method of Sale.
- § 2111. Sale from Bulk.
- § 2112. Information Required on Packages.
- § 2113. Declarations of Unit Price on Random Packages.
- § 2114. Advertising Packages for Sale.
- § 2115. Offenses and Penalties.
- § 2116. Injunction.
- § 2117. Presumptive Evidence.
- § 2118. Fees.
- § 2119. Regulations to be Unaffected by Repeal of Prior Enabling Statute.

§ 2100. Definitions.

As used in this Chapter:

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(1) *Weights and Measures* means all weights and measures of every kind, instruments and devices for weighing and measuring, and any appliance and accessories associated with any or all such instruments and devices;

(2) *Weight* as used in connection with any commodity, means net weight; except where the label declares that the product is sold by drained weight, the term means net drained weight;

(3) *Correct* as used in connection with weights and measures, means conformance to all applicable requirements of this Chapter;

(4) *Primary standards* means the physical standards of the Territory which serve as the legal reference from which all other standards and weights and measures are derived;

(5) *Secondary standards* means the physical standards which are traceable to the primary standards through comparisons, using acceptable laboratory procedures, and used in the enforcement of weights and measures laws and regulations;

(6) *Director* means the Director of the Department of Revenue and Taxation;

(7) *Person* means both plural and the singular, as the case demands, and includes individuals, partnerships, corporations, companies, societies and associations including governmental agencies;

(8) *Sale from Bulk* means the sale of commodities when the quantity is determined at the time of sale; and

(9) *Package* means any commodity put up or packaged in any manner in advance of sale in units suitable for either wholesale or retail sale.

§ 2101. Systems of Weights and Measures.

The customary system of weights and measures used in the United States and the metric system of weights and measures are jointly recognized and either one or both of these systems shall be used for all commercial and governmental purposes in the Territory. The definitions of basic units of weights and measures, the tables of weights and measures and weights and measures equivalents as published by the National Bureau of Standards are recognized and shall govern weighing and measuring equipment and transactions in the Territory.

§ 2102. Physical Standards.

Weights and measures that are traceable to the United States prototype standards supplied by the Federal government or approved as being satisfactory by the National Bureau of Standards, shall be the Territory's primary standards of weights and measures and shall be maintained in such calibration as prescribed by the National Bureau of Standards. All secondary standards may be prescribed by the Director and shall be verified upon their initial receipt and as often thereafter as deemed necessary by the Director.

§ 2103. Technical Requirements for Weighing and Measuring Devices.

The specifications, tolerances and other technical requirements for weighing and measuring devices as adopted by the National Conference on Weights and Measures and published in the National Bureau of Standards Handbook 44, 'Specifications, Tolerances and Other Technical Requirements for Commercial Weighing and Measuring Devices', and supplements thereto or revisions thereof, shall apply to weighing and measuring devices in the Territory, except insofar as modified or rejected by regulation.

§ 2104. Weights and Measures Division: Personnel.

There shall be a Division of Weights and Measures located for administrative purposes within the Department of Revenue and Taxation. The Division is charged with, but not limited to, performing the following functions:

- (1) assuring that weights and measures in commercial and governmental service within the Territory are suitable for their intended use, properly installed, accurate and are so maintained by their owner or user;
- (2) preventing unfair or deceptive dealing by weight or measure in any commodity or service advertised, packaged, sold or purchased within this Territory;
- (3) making available to all users of physical standards or weighing and measuring equipment the precision calibration and related meteorological certificate capabilities of the weights and measures facilities of the Division;

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(4) promoting uniformity, to the extent such conformance is practicable and desirable, between weights and measures requirements in this Territory and those of other states and Federal agencies; and

(5) encouraging desirable economic growth while protecting the consumer through the adoption by rule of weights and measures requirements as necessary to assure equity among buyers and sellers.

§ 2105. Powers and Duties of the Director.

The Director shall:

(1) maintain traceability of the Territory standards to the National Bureau of Standards;

(2) enforce the provisions of this Chapter;

(3) issue reasonable regulations for the enforcement of this Chapter, which regulations shall have the force and effect of law;

(4) establish labeling requirements, establish requirements for the presentation of cost-per-unit information, establish standards of weight, measure or count, and reasonable standards of fill for any packaged commodity and may establish requirements for open dating information;

(5) grant any exemptions from the provisions of this Chapter or any regulations promulgated pursuant thereto and when appropriate to the maintenance of good weighing and measuring practices within the Territory;

(6) conduct investigations to ensure compliance with this Chapter;

(7) delegate to appropriate personnel any of these responsibilities for the proper administration of this Division;

(8) test annually the standards of weights and measures used within the Territory and approve the same when found to be correct;

(9) inspect and test weights and measures kept, offered or exposed for sale;

(10) inspect and test to ascertain if they are correct, weights and measures used:

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(a) in determining the weight, measure or count of commodities or things sold or offered or exposed for sale, on the basis of weight, measure or count; or

(b) in computing the basic charge or payment for services rendered on the basis of weight, measure or count.

(11) test all weights and measures used in checking the receipt or disbursement or supplies in every institution for the maintenance of which funds are appropriated by the Legislature;

(12) approve for use and mark such weights and measures as he finds to be correct and shall reject and mark as rejected, such weights and measures as he finds to be incorrect;

(13) may seize weights and measures that have been rejected and not corrected within the time specified or if used or disposed of in a matter not specifically authorized. The Director shall condemn and may seize the weights and measures found to be incorrect that are not capable of being made correct;

(14) Weigh, measure or inspect packaged commodities kept, offered or exposed for sale, sold or in the process of delivery, to determine whether they contain the amounts represented and whether they are kept, offered or exposed for sale in accordance with this Chapter or regulations promulgated pursuant thereto. In carrying out the provisions of this Section, the Director shall employ recognized sampling procedures, such as those designed in the National Bureau of Standards;

(15) prescribe, by regulation, the appropriate term or unit of weight or measure to be used, whenever he determines in the case of a specific commodity that an existing practice of declaring the quantity by weight, measure, numerical count or combination thereof does not facilitate value comparisons by consumers or offers an opportunity for consumer confusion;

(16) allow reasonable variations from the stated quantity of contents which shall include those caused by loss or gain of moisture during the course of good distribution practice or by unavoidable deviations in good manufacturing practice only after the commodity has entered intrastate commerce; and

(17) establish a schedule of fees for the annual inspection of a scale, weight or measure and other services performed by the Division in

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accordance with the provisions of this Section and the regulations promulgated thereunder, provided that such schedule of fees includes a charge of not less than Two Dollars (\$2.00) per device inspected. Records of charges made pursuant to this provision shall be kept so that such money may be earmarked in annual budgets for the purchase of equipment.

§ 2106. Special Police Powers.

When necessary for enforcement of this Chapter or regulations promulgated pursuant thereto, the Director is:

(1) authorized to enter any commercial premises during normal business hours, except that in the event such premises are not open to the public, he shall first present his credentials and obtain consent before making entry thereto, unless a search warrant has previously been obtained;

(2) empowered to issue stop-use, hold and removal orders with respect to any weights and measures commercially used and stop-sale, hold and removal orders with respect to any packaged commodities or bulk commodities kept, offered or exposed for sale;

(3) empowered to seize, for use as evidence, without formal warrant, any incorrect or unapproved weight, measure, package or commodity found to be used, retained, offered or exposed for sale or sold in violation of the provisions of this Chapter or regulations promulgated pursuant thereto;

(4) empowered to stop any commercial vehicle and after presentment of his credentials, inspect the contents, require that the person in charge of that vehicle produce any documents in his possession concerning the contents and require him to proceed with the vehicle to some specified place for inspection; and

(5) with respect to the enforcement of this Chapter, the Director or his duly authorized designee vested with special police powers may arrest any violator of this Chapter in accordance with provisions of the Criminal Procedure Code.

§ 2107. Powers and Duties of Officials.

Any weights and measures official appointed for the Territory shall have the duties enumerated in §§ 2105(9) through 2105(14) and the power enumerated in § 2106 of this Code.

§ 2108. Misrepresentation of Quantity.

No person shall sell, offer or expose for sale less than the quantity of commodity or service he represents, not take any more than the quantity of commodity or service he represents when he furnishes the weight or measure by means of which the quantity is determined.

§ 2109. Misrepresentation of Pricing.

No person shall misrepresent the price of any commodity or service sold, offered, exposed or advertised for sale by weight, measure or count nor represent the price in any manner calculated or tending to mislead or in any way deceive a person.

§ 2110. Method of Sale.

Except as otherwise provided by the Director, commodities in liquid form shall be sold by liquid measure or by weight, and commodities not in liquid form shall be sold only by weight or by measure or by count, so long as the method of sale provides accurate quantity information.

§ 2111. Sale from Bulk.

Whenever the quantity is determined by the seller, bulk sales in excess of Twenty Dollars (\$20.00) shall be accompanied by a delivery ticket containing the following information;

- (1) the name and address of the vendor and purchaser;
- (2) the date delivered;
- (3) the quantity delivered and the quantity upon which the price is based, if this differs from the delivered quantity;
- (4) the identity in the most descriptive terms commercially practicable, including any quality representation made in connection with the sale; and
- (5) the count of individually wrapped packages, if more than one.

§ 2112. Information Required on Packages.

Except as otherwise provided in this Chapter or by regulations promulgated pursuant thereto, any package kept for the purpose of sale or offered or exposed for sale shall bear on the outside of the package a definite, plain and conspicuous declaration of:

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(1) the identity of the commodity in the package, unless the same can easily be identified through the wrapper or container;

(2) the quantity of contents in terms of weight, measure or count;
and

(3) the name and place of business of the manufacturer, packer or distributor, in the case of any package kept, offered or exposed for sale or sold in any place other than on the premises where packed.

§ 2113. Declarations of Unit Price on Random Packages.

In addition to the declarations required by § 2112 of this Chapter, any package being one of a lot containing random weights of the same commodity and bearing the total selling price of the package shall bear on the outside of the package a plain and conspicuous declaration of the price per single unit of weight.

§ 2114. Advertising Packages for Sale.

Whenever a packaged commodity is advertised in any manner with the retail price stated, there shall be closely and conspicuously associated with the retail price a declaration of quantity as is required by law or regulation to appear on the package. Where a dual declaration is required, only the declaration that sets forth the quantity in terms of the smaller unit of weight or measure need appear in the advertisement.

§ 2115. Offenses and Penalties.

Any person who violates the following enumerated provisions or any provision of this Chapter or regulations promulgated pursuant thereto, for which a specific penalty has not been prescribed, shall be guilty of a misdemeanor. No person shall:

(1) use or have in possession for use in commerce any incorrect weight or measure;

(2) remove any tag, seal or mark from any weight or measure without specific written authorization from the proper authority; or

(3) hinder or obstruct any weights and measures official in the performance of his duties.

§ 2116. Injunction.

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The Director is authorized to apply to any court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating any provision of this Chapter.

§ 2117. Presumptive Evidence.

Whenever there shall exist a weight or measure or weighing or measuring device in or about any place in which or from which buying or selling is commonly carried on, there shall be a rebuttable presumption that such weight or measure or weighing or measuring device is regularly used for the business purposes of that place.

§ 2118. Fees.

The Director *shall* collect for each annual inspection of a scale, weight or measure before the sealing of the same and deliver to the owner, a certificate of its accuracy, a fee as established in the schedule of fees promulgated under the provisions of this Chapter. The Director *shall* collect the appropriate fee for any other service rendered by the Department under the provisions of this Chapter and *shall* deposit such funds in the General Fund of fees collected pursuant to this Section. The fees *shall* be as follows:

<u>Scales</u>	<u>Fee</u>
01 to 30 lbs	\$ 4.00
31 to 100 lbs	\$ 6.00
101 to 501 lbs	\$ 8.00
501 to 2,000 lbs	\$13.00
2001 to 5,000 lbs	\$25.00
5001 to 10,000 lbs	\$35.00
Over 10,000 lbs	\$40.00
Dry or Liquid Measures	
Less than 1 gallon	\$ 4.00
1 to 5 gallons	\$10.00
Lineal Measures	
Inspectors Salary per hour	\$10.00
Taxi Calibration	
Taximeter	\$20.00

SOURCE: P.L. 15-91. Amended by P.L. 29-002:V:I:2 (May 18, 2007).

§ 2119. Regulations to be Unaffected by Repeal of Prior Enabling Statute.

The adoption of this Act or any of its provisions shall not affect any regulations promulgated pursuant to the authority of any earlier enabling statute unless inconsistent with this Act or modified or revoked by the Director.

**ARTICLE 2
WEIGHMASTER**

- § 2200. Definitions.
- § 2201. Enforcing Officer: Rules and Regulations
- § 2202. Qualifications for Weighmaster.
- § 2203. License Application
- § 2204. Evaluation of Qualifications of Applicants: Records.
- § 2205. License Fees.
- § 2206. Limited Licenses.
- § 2207. Public Weighmaster. Oath, Seal.
- § 2208. Weight Certificate: Required Entries.
- § 2209. Weight Certificate: Execution, Requirements.
- § 2210. Scale Used: Type, Test.
- § 2211. Scale Used: Capacity, Platform Size, One-Draft Weighing.
- § 2212. Copies of Weight Certificates.
- § 2213. Reciprocal Acceptance of Weight Certificates.
- § 2214. Optional Licensing.
- § 2215. Prohibited Acts.
- § 2216. Suspension and Revocation of License.
- § 2217. Offenses and Penalties.
- § 2218. Offenses and Penalties: Malfeasance.
- § 2219. Offenses and Penalties: General.

§ 2200. Definitions.

As used in this Chapter:

(1) *Public Weighmaster* means a natural person licensed under the provisions of this Chapter;

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(2) *Vehicle* means any device in, upon or by which any property, produce, commodity or article is or may be transported or drawn; and

(3) *Director* means the Director of the Department of Revenue and Taxation or his delegate.

§ 2201. Enforcing Officer: Rules and Regulations.

The Director is authorized to enforce the provisions of this Chapter and he shall issue from time to time reasonable regulations for the enforcement in accordance with the Administrative Adjudication Act.

§ 2202. Qualifications for Weighmaster.

A resident of the territory of Guam, not less than eighteen (18) years of age, of good moral character, who has the ability to weigh accurately and to make correct weight certificates, and who has received from the Director a license as a public weighmaster, shall be styled and authorized to act as a public weighmaster.

§ 2203. License Application.

An application for a license as a public weighmaster shall be made upon a form provided by the Director. A fee of Twenty-Five Dollars (\$25.00) shall be paid upon submission of the application.

§ 2204. Evaluation of Qualifications of Applicants: Records.

The Director may adopt rules for determining the qualifications for licensure as a public weighmaster. The Director may pass upon the qualifications of the applicant upon the basis of the information supplied in the application or he may examine such applicant orally or in writing, or both, for the purpose of determining his qualifications. He shall grant licenses as public weighmasters to such applicants as may be found to possess the required qualifications. The Director shall keep a record of all such applications and of all licenses issued thereon.

§ 2205. License Fees.

Before the issuance of any license as a public weighmaster, or any renewal thereof, the applicant *shall* pay to the Director a fee of Fifty Dollars (\$50.00). Licenses *shall* expire two (2) years after issuance. Such fees *shall* be deposited in the General Fund.

SOURCE: P.L. 15-91. Amended by P.L. 29-002:V:I:3 (May 18, 2007).

Before the issuance of any license as a public weighmaster, or any renewal thereof, the applicant shall pay to the Director a fee of Twenty-Five Dollars (\$25.00). Licenses shall expire two (2) years after issuance. Such fees shall be deposited in the General Fund.

§ 2206. Limited Licenses.

Without charge, the Director shall issue a limited license as a public weighmaster to any qualified officer or employee of the Government authorizing him to act as a public weighmaster within the scope of his employment.

§ 2207. Public Weighmaster. Oath, Seal.

Each public weighmaster shall, before entering upon his duties, make oath to execute faithfully his duties. The issuance of a license as a public weighmaster shall not obligate the Territory to pay to the licensee any compensation for his services as a public weighmaster. Each public weighmaster shall, at his own expense, provide himself with an impression seal. His name and the words *Territory of Guam* shall be inscribed around the outer margin of the seal and words *public weighmaster* shall appear in the center thereof. The seal shall be impressed upon each weight certificate issued by a public weighmaster.

§ 2208. Weight Certificate: Required Entries.

The Director shall prescribe the form of weight certificate to be used by a public weighmaster. The weight certificate shall state the date of issuance, the kind of property, produce, commodity or article weighed, the name of the declared owner, agent of the owner or of the consignee of the material weighed, the accurate weight of the material weighed, the means by which the material was being transported at the time it was weighed and such other available information as may be necessary to distinguish or identify the property, produce, commodity or article from others of like kind. Such weight certificate, when so made and properly signed and sealed, shall be prima facie evidence of the accuracy of the weights shown.

§ 2209. Weight Certificate: Execution, Requirements.

A public weighmaster shall not enter on a weight certificate issued by him any weight values but such as he has personally determined and he shall make no entries on a weight certificate issued by some other person. A weight certificate shall be so prepared as to show clearly that

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weight or weights were actually determined. If the certificate form provides for the entry of gross, tare and net weights, in any case in which only the gross, the tare or the net weight is determined by the weighmaster, he shall strike through or otherwise cancel the printed entries for the weights not determined or computed. If gross and tare weights are shown on a weight certificate and both of these were not determined on the same scale and on the day for which the certificate is dated, the weighmaster shall identify on the certificate the scale used for determining each such weight and the date of each such determination.

§ 2210. Scale Used: Type, Test.

When making a weight determination as provided for by this Chapter, a public weighmaster shall use a weighing device that is of a type suitable for the weighing of the amount and kind of material to be weighed and that has been tested and approved for use by the Director or his delegate within a period of twelve (12) months immediately preceding the date of the weighing.

§ 2211. Scale Used: Capacity, Platform Size, One-Draft Weighing.

A public weighmaster shall not use any scale to weigh a load the value of which exceeds the nominal or rated capacity of the scale. When the gross or tare weight of any vehicle or combination of vehicles is to be determined, the weighing shall be performed upon a scale having a platform of sufficient size to accommodate such vehicle or combination of vehicles fully, completely and as one entire unit. If a combination of vehicles must be broken upon into separate units in order to be weighed as prescribed herein, each such separate unit shall be entirely disconnected before weighing and a separate weight certificate shall be issued for each such separate unit.

§ 2212. Copies of Weight Certificates.

A public weighmaster shall keep and preserve for at least one (1) year, or for such longer period as may be specified in the regulations, a legible carbon copy of each weight certificate issued by him. The copies shall be open at all reasonable times for inspection by any weights and measures officer of this Territory.

§ 2213. Reciprocal Acceptance of Weight Certificates.

Whenever in any other jurisdiction which licenses public weighmasters, there is statutory authority for the recognition an

acceptance of the weight certificates issued by public weighmasters of this Territory, the Director of this Territory is authorized to recognize and accept the weight certificates of such other jurisdiction.

§ 2214. Optional Licensing.

The following persons shall not be required but may obtain licenses as public weighmasters:

(1) a government weights and measures officer when acting within the scope of his official duties;

(2) a person weighing property, produce, commodities or articles that he or his employer, if any, is either buying or selling; and

(3) a person weighing property, produce, commodities or articles in conformity with the requirements of Federal statutes or the statutes of this Territory relative to warehousemen or processors.

§ 2215. Prohibited Acts.

No person shall assume the title public weighmaster or any title of similar import, perform the duties or acts to be performed by a public weighmaster under this Chapter, hold himself out as a public weighmaster, issue any weight certificate, ticket, memorandum or statement for which a fee is charged or engage in the full-time or part-time business of public weighing, unless he holds a valid license as a public weighmaster. *Public weighing*, as used in this Section, shall mean the weighing for any person, upon request, of property, produce, commodities or articles other than those which the weigher or his employer, if any, is either buying or selling.

§ 2216. Suspension and Revocation of License.

The Director is authorized to suspend or revoke the license of any public weighmaster when a licensed public weighmaster has been convicted in any court of competent jurisdiction of violating any provision of this Chapter or of any regulation issued under authority of this Chapter.

§ 2217. Offenses and Penalties.

Any person who requests a licensed public weighmaster to weigh any property, produce, commodity or article falsely or incorrectly, or who requests a false or incorrect weight certificate, or any person who issues a weight certificate simulating the weight certificate prescribed in

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the Chapter and who is not a public weighmaster, shall be guilty of a misdemeanor and upon conviction for the first offense shall be punished by a fine in any sum not less than Twenty-Five Dollars (\$25.00) or more than One Hundred Dollars (\$100.00); and upon a second or subsequent conviction such person shall be punished by a fine in any sum not less than One Hundred Dollars (\$100.00) or more than Five Hundred Dollars (\$500.00), or by imprisonment for not less than thirty (30) days or more than ninety (90) days or by both fine and imprisonment.

§ 2218. Offenses and Penalties: Malfeasance.

Any public weighmaster who falsifies a weight certificate or who delegates his authority to any person not licensed as a public weighmaster or who preseals a weight certificate with his official seal before performing the act of weighing, shall be guilty of a misdemeanor.

§ 2219. Offenses and Penalties: General.

Any person who violates any provision of this Chapter or any rule or regulation promulgated pursuant thereto for which no specific penalty has been provided shall be guilty of a misdemeanor.

**ARTICLE 3
PETROLEUM SALE, ACCOUNTING AND INSPECTION**

SOURCE: This Article 3 added by P.L. 26-114:3.

§ 2301. Definitions.

§ 2302. Measurement Standard.

§ 2303. Petroleum Product: Liquid.

§ 2301. Definitions.

As used in this Article:

(a) '*API*' means the American Petroleum Institute.

(b) '*API gravity*' means the relationship expressed by degrees API equal one hundred and forty-one and five tenths divided by specific gravity at sixty/sixty degrees Fahrenheit, minus one hundred and thirty-one and five tenths, and is abbreviated °API. By definition, it reflects a special gravity at sixty degrees Fahrenheit (°API = 141.5/S.G. 60/60° - 131.5).

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(c) '*Cubic foot*' means the amount of liquefied petroleum product, vapor or natural gas vapor, or synthetic natural gas vapor, or any blend of the above, which will occupy one thousand seven hundred twenty-eight (1,728) cubic inches when its temperature is sixty degrees (60°) Fahrenheit at a pressure of seven hundred sixty (760) mm of Hg (mercury). The density of the Hg shall be 13.5951 grams per cubic centimeter per second, per second.

(d) '*Guam standard petroleum measurement tables*' means the following tables, as listed in the manual of petroleum measurement standards D1250, as published by the ASTM in the first edition, August 1980: (1) Table 5B-Generalized products correction of observed API gravity to API gravity at sixty degrees (60°) Fahrenheit; (2) Table 6B-Generalized products correction for volume to sixty degrees (60°) Fahrenheit against API gravity at sixty degrees (60°) Fahrenheit.

(e) '*Petroleum products*' include automotive gasoline; diesel fuels; fuel oils; liquefied petroleum gas (both liquid and vapor); residuals, distillates and fractions; kerosene; aviation fuels; turbine fuels; solvent; hydro-carbons or synthetics; crude oil; lubrication oil; or any other oil or distillates or blends of the above, or any other product or byproduct normally considered petroleum product and synthetic natural gas, or natural gas and manufactured gas or blends.

(f) '*U.S. petroleum gallon*' means that amount of petroleum product which occupies two hundred thirty-one (231) cubic inches exactly when its temperature is sixty degrees (60°) Fahrenheit, or the expanded equivalent thereto calculated using the observed temperature, or its expanded or contracted equivalent at any other temperature.

(g) '*Observed temperature*' means eighty-five degrees (85°) Fahrenheit.

§ 2302. Measurement Standard.

(a) Any petroleum product which is in a liquid state under conditions of seven hundred sixty (760) millimeters of Hg at sixty degrees (60°) Fahrenheit shall be measured in terms of the U.S. petroleum gallon; its multiple or decimal submultiples.

(b) Any petroleum product which is in a vapor state under condition of 258.575 or less of Hg at sixty degrees (60°) Fahrenheit shall be

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measured in terms of cubic feet or in terms of U.S. petroleum gallons, their multiples or decimal submultiples.

(c) The standards as published by the American Society for Testing and Materials ('ASTM') and the Society of Automotive Engineers ('SAE'), and the Guam standard petroleum measurement tables are hereby adopted for the measurement of petroleum products.

§ 2303. Petroleum Product: Liquid.

(a) All petroleum products in the liquid state under atmospheric conditions shall be kept, offered, exposed for sale or sold in terms of U.S. petroleum gallons or SI liters.

(b) All metered sales by the gallon or liter, except those using meters with a maximum rated capacity of twenty-five (25) gallons per minute or less, shall be accomplished by the use of a meter and/or device that automatically compensates for temperature.

(c) Devices used for measuring sales of liquid petroleum products that have a rated capacity of two hundred (200) gallons per minute or more shall be required to automatically compensate for temperature in accordance with this Article; provided, that whenever a partial compartment or partial tank truck load of the amount originally measured in accordance with this Subsection is delivered, it shall be delivered through a meter or device that compensates for temperature in accordance with this Article and the American Society for Testing and Materials ('ASTM') standards.

(d) Whenever a partial compartment or partial tank truckload is delivered, it shall be delivered through a meter that compensates for temperature in accordance with this Article and the American Society for Testing and Materials ('ASTM') standards.(e) Tank markers shall not be used as a means for determining the quantity of product delivered into or from a vehicle tank truck.

(f) The density and volume of petroleum products shall be determined, verified and delivered in accordance with the appropriate Guam standard petroleum measurement table.
